

MINUTES

STATE BUILDING COMMISSION MEETING

DECEMBER 10, 2009

The State Building Commission met this day at 11:00 a.m. in House Hearing Room 30 of the Legislative Plaza, Nashville, Tennessee, with the following State Building Commission members and Departments present.

11:25 a.m.	Department of Veterans Affairs	Commissioner John Keys
11:28 a.m.	Department of Environment and Conservation	Assistant Commissioner Mike Carlton
11:31 a.m.	University of Tennessee	Dr. Jan Simek
11:35 a.m.	Military Department	Colonel Bill Wenzler
11:39 a.m.	Department of Transportation	Commissioner Gerald Nicely
11:47 a.m.	Tennessee Board of Regents	Chancellor Charles Manning
12:05 p.m.	Department of Finance and Administration	
12:20 p.m.	State Building Commission	

STATE BUILDING COMMISSION MEMBERS PRESENT

Ron Ramsey, Lieutenant Governor
Kent Williams, Speaker of the House of Representatives
Dave Goetz, Commissioner, Department of Finance and Administration
Justin Wilson, Comptroller of the Treasury
David Lillard, State Treasurer
Tre Hargett, Secretary of State

STATE BUILDING COMMISSION MEMBERS ABSENT

Governor Phil Bredesen

OTHERS PRESENT

Mike Fitts, State Architect	Mark Cherpack, Department of Finance and Administration
Georgia Martin, State Architect's Office	Alvin Payne, University of Tennessee
Alan Robertson, State Architect's Office	Gary Rogers, University of Tennessee
Janie Porter, Attorney General's Office	Scott Boelscher, THEC
Genie Whitesell, Attorney General's Office	Jim Dixey, Real Property Administration
Jonathan Rummel, Secretary of State's Office	Cindy Liddell, Bond Finance
Dave Thurman, Legislative Budget Office	Bill Finney, Real Property Administration
Joy Harris, Treasurer's Office	Chuck Taylor, Department of Veterans Affairs
Melinda Parton, Comptroller's Office	Steve Berger, TRO Jung Brannen
Dick Tracy, Tennessee Board of Regents	Brett Ragsdale, TRO Jung Brannen
Diane Uhler, Tennessee Board of Regents	David Lose, Lose & Associates
John Carr, Finance and Administration	Mike Wrye, Lose & Associates
Nancy Blevins, Department of Finance and Administration	Peter Linstrom, Lose & Associates

Minutes of Meeting of State Building Commission

December 10, 2009

Page 2 of 17

Michael Robertson, Department of Environment and
Conservation

Murray Crow, Department of Environment and
Conservation

Patrick McIntyre, TN Historical Commission

Blake Fontenay, Constitutional Officers

John Cothorn, Middle Tennessee State University

Lance Frizzell, Lt. Governor Ramsey's Office

Lieutenant Governor Ramsey called the meeting to order at 11:08 a.m. Treasurer Lillard began a discussion regarding the project at the State Capitol following a memo he received from Real Property Administration. He stated that the Commission approved moving the people around, but that was all, and asked that they receive a presentation regarding the project.

Commissioner Goetz stated that it was his understanding that a very complex series of things have to occur around the HVAC system replacement, which involved a sequence of moves to accommodate the work. Mr. Fitts stated that Real Property Administration is trying to identify a contractor through the Construction Manager process. He noted that a contractor can be very valuable in developing the schedule and that getting a contractor on board will be an aid in the overall design and scheduling. He said that the planning dollars will be sufficient to fund the contractor's preconstruction services. However, the project will come back to the SBC as to the identification of the CM and proceeding with the contract.

Comptroller Wilson read an email from Dottie Hagood and said he didn't think it sounded like what Mr. Fitts was outlining. Mr. Fitts responded that the work involves all of the SBC members and the incoming Governor. He said everyone will have to be on board and this RFP is a tool to help in that process. Secretary Hargett questioned the "on time" reference in Ms. Hagood's email.

Nick DePalma, project manager with Real Property Administration, was recognized. He stated that Ms. Hagood's intent was to try to establish points of contact to begin to describe what this plan entails. He said that they have a planning proposal regarding where personnel would reside during construction of the project between sessions in 2011. He said they have made some assumptions and would like to confirm those with the Legislative and Executive branches. He said they need general consensus and have a 7-month schedule to do it and need the assistance of the CM to advise them of the cost and schedule. He said that funding for the project has not been fully allocated and that they are in a planning stage where it is necessary to interface with the Capitol offices.

Treasurer Lillard asked that there be a presentation to the SBC or Subcommittee, and he would like to have a discussion of the overall plan of where this fits into the State's plan. Commissioner Goetz said that procurement of the CM is about getting the planning started and determine what is even feasible. Lieutenant Governor Ramsey asked if this project includes the Legislative Plaza, and Mr. DePalma replied that the planning project includes the Legislative Plaza and War Memorial Building, but it would not be feasible to do all three buildings in one year and would need to be phased. After discussion, it was agreed that an update on the project would be presented to the Executive Subcommittee at their next meeting.

Lieutenant Governor Ramsey then requested action on the following agenda items as presented by State Architect Michael A. Fitts.

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DEPARTMENT OF VETERANS AFFAIRS

11:25 a.m.

Commissioner John Keys requested action on the following matter.

EAST TENNESSEE VETERANS CEMETERY, KNOXVILLE, TENNESSEE

- 1) Commissioner Keys presented a request for approval of a revision in estimated project cost from \$2,532,000.00 to \$5,551,000.00 (\$3,019,000.00 increase) and approval of a revision in planning funds from \$607,000.00 to \$800,000.00 (\$193,000.00 increase) for **Cemetery Expansion** in Knoxville, Tennessee. Speaker Williams questioned the reason for the increase in estimated project cost. Commissioner Goetz stated that this involves a change to a larger site to allow for continued needs. After discussion, the Commission approved the request as presented.

Revised Estimated Project Cost:	\$5,551,000.00
Revised Planning Cost:	\$ 800,000.00
<i>SBC Project No.</i>	<i>682/000-03-2006</i>

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DEPARTMENT OF ENVIRONMENT AND CONSERVATION

11:28 a.m.

Assistant Commissioner Mike Carlton requested action on the following matters.

HIWASSEE SCENIC RIVER STATE PARK, POLK COUNTY, TENNESSEE

- 1) Approved a request to cancel a project for **Rustic Lodge** at the Hiwassee Scenic River State Park, Polk County, Tennessee

Estimated Project Cost: \$175,000.00
SBC Project No. 126/110-01-2007

SYCAMORE SHOALS STATE HISTORIC AREA, CARTER COUNTY, TENNESSEE

- 1) Approved a request for a revision in funding and acknowledgment of the source of funding from \$400,000.00 to \$575,000.00 (\$175,000.00 increase) of a project for **Exhibit Space Upgrade** at Sycamore Shoals State Historic Area, Carter County, Tennessee.

Revised Estimated Project Cost: \$575,000.00
SBC Project No. 126/000-03-2006

WYNNEWOOD STATE HISTORIC SITE, SUMNER COUNTY, TENNESSEE

- 1) Assistant Commissioner Carlton presented a request for approval to utilize Best Value Option 1 delivery method to prequalify general contractors on a project for **Emergency Repairs & Restoration** at Wynnewood State Historic Site, Castilian Springs, Tennessee. Comptroller Wilson asked how much of the funding was State dollars. Patrick McIntyre, Executive Director for the Tennessee Historical Commission, was recognized. He stated that they have not quite determined the amount of State dollars since this was a FEMA project and most of the cost would be reimbursed. Treasurer Lillard asked if there were any additional State appropriations required, would they bring it back to the SBC for approval, and Mr. McIntyre responded "yes". The request was then approved as presented.

Estimated Project Cost: \$6,000,000.00
SBC Project No. 160/004-01-2008

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UNIVERSITY OF TENNESSEE

11:31 a.m.

Dr. Jan Simek requested action on the following matters.

UNIVERSITY OF TENNESSEE AT CHATTANOOGA, TENNESSEE

- 1) Approved a request for a revision in funding from \$500,000.00 to \$540,000.00 (\$40,000.00 increase) of a project for **Scrappy Moore Field** at the University of Tennessee at Chattanooga, and authorization to award a contract to Competition Athletic Construction, LLC the amount of \$444,900.00, based on bids received November 12, 2009.

Revised Estimated Project Cost: \$540,000.00
SBC Project No. 540/005-03-2009

UNIVERSITY OF TENNESSEE AT KNOXVILLE, TENNESSEE

- 1) Approved a request for a revision in scope of a project for **Massey Hall Improvements** at the University of Tennessee at Knoxville, to include replacement of the roof, within existing project funding.

Estimated Project Cost: \$2,000,000.00
SBC Project No. 540/009-17-2003

UNIVERSITY OF TENNESSEE AT MARTIN, TENNESSEE

- 1) Approved a request for a revision in funding from \$1,500,000.00 to \$1,750,000.00 (\$250,000.00 increase) of a project for **Athletic Field Lights and Field House** at the University of Tennessee at Martin, and authorization to award a contract to Allen Searcy Builders in the amount of \$1,099,851.00, which includes the base bid plus Alternates #1 and #2, based on bids received November 4, 2009.

Revised Estimated Project Cost: \$1,750,000.00
SBC Project No. 540/011-04-2008

UNIVERSITY OF TENNESSEE AT KNOXVILLE, TENNESSEE

- 1) Approved a request to change the electrical subcontractor from Atlas Electric to Funderburk Electrical Service on the following projects at the University of Tennessee, Knoxville.
 - A. Steam Plant Improvements
SBC No. 540/09-09-05
 - B. Joint Institute for Neutron Sciences
SBC No. 529/094-01-03

MILITARY DEPARTMENT

11:35 a.m.

Colonel Bill Wenzler requested action on the following matters.

STATEWIDE

- 1) Approved a project and acknowledgment of the source of funding for the **Field Maintenance Shops Reroof and Building Repairs** in Jackson and Camden, with selection of a designer referred to the Subcommittee, with authority to act.

Estimated Project Cost: \$264,325.00

SBC Project No. 361/000-05-2009

- 2) Approved a project and acknowledgment of the source of funding for the **Field Maintenance Shops Reroof and Building Repairs** in Cookeville and Lebanon, with selection of a designer referred to the Subcommittee, with authority to act.

Estimated Project Cost: \$211,025.00

SBC Project No. 361/000-06-2009

- 3) Approved a request to select a designer to design and supervise the Centerville portion of a project for **Reroofs** at Centerville, Pulaski and Gallatin, to be accomplished within existing funding, with the selection referred to the Subcommittee with authority to act.

Estimated Project Cost: \$931,000.00

SBC Project No. 361/000-05-2006

COMBINED SUPPORT MAINTENANCE SHOP, KNOXVILLE, TENNESSEE

- 1) Approved a project and acknowledgment of the source of funding for **Combined Support Maintenance Shop Reroof** in Knoxville, with the selection of a designer referred to the Subcommittee with authority to act.

Estimated Project Cost: \$627,067.00

SBC Project No. 361/047-01-2009

VOLUNTEER TRAINING SITE, SMYRNA, TENNESSEE

- 1) Approved a project and acknowledgment of the source of funding for **Building 500 Reroof and Repairs** at the Volunteer Training Site, Smyrna, with selection of a designer referred to the Subcommittee with authority to act.

Estimated Project Cost: \$560,000.00
SBC Project No. 361/079-03-2009

- 2) Approved a project and acknowledgment of the source of funding for **VTS Communication Line Installation** at the Volunteer Training Site, Smyrna, with selection of a designer referred to the Subcommittee with authority to act.

Estimated Project Cost: \$525,000.00
SBC Project No. 361/079-04-2009

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DEPARTMENT OF TRANSPORTATION

11:39 a.m.

Commissioner Gerald Nicely requested action on the following matters.

QUARTERLY STATUS REPORT

- 1) The Commission acknowledged receipt of the third **Quarterly Status Report** of current projects in the Transportation Improvements Programs in accordance with the requirements of the "Transportation Reporting Act of 2002"

REGION 4 – MEMPHIS, SHELBY COUNTY, TENNESSEE

- 1) Commissioner Nicely presented a request for approval of a project and acknowledgment of the source of funding for **I-55 Memphis Welcome Center / Vending Building Replacement** with site upgrade on I-55 entering Shelby County from Mississippi, with selection of a designer referred to the Subcommittee, with authority to act. Secretary Hargett questioned the decision for not doing the log cabin design, which is less expensive than that proposed. Commissioner Nicely responded that the large cost differential was not due to design, but to site costs and with the inclusion of energy-related factors. Secretary Hargett asked if the Commissioner could provide him with those cost breakdowns. The request was then approved as presented.

Estimated Project Cost: \$3,750,000.00
SBC Project No. 244/010-02-2009

REGION 3 – GILES COUNTY, TENNESSEE

- 1) Commissioner Nicely presented a request for approval of the Early Design Phase of a project for **I-65 Weigh Scales Site** at Giles County as presented by Clinard & Associates. Lieutenant Governor Ramsey asked if there was currently a weigh station at the site. Colonel Walker responded "no", that this was a critical project since there is nothing to stop incoming trucks from entering I-65 South and proceeding across the state unchecked. After discussion, the request was approved as presented.

Estimated Project Cost: \$15,000,000.00
SBC Project No. 243/020-02-2002

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TENNESSEE BOARD OF REGENTS

11:47 a.m.

Chancellor Charles Manning requested action on the following matters.

Middle Tennessee State University, Murfreesboro, Tennessee

- 1) Approved a request to conduct a study and acknowledgment of the source of funding for **University Mitigation Plan** at Middle Tennessee State University in Murfreesboro, Tennessee, with the selection of a designer referred to the Subcommittee with authority to act.

Estimated Project Cost: \$87,500.00
SBC Project No. 166/009-05-2009

Tennessee Technological University, Cookeville, Tennessee

- 1) Approved a request for a revision in estimated project cost and funding from \$6,390,000.00 to \$9,640,000.00 (a \$3,250,000.00 increase) and acknowledgment of source of funding for **Central Cooling Deficiency Corrections** at Tennessee Technological University in Cookeville, Tennessee.

Revised Estimated Project Cost: \$9,640,000.00
SBC Project No. 166/011-02-2004

- 2) Approved a request to plan a project and acknowledgment of the source of funding for **IT Infrastructure Upgrades** at **Tennessee Technological University** in Cookeville, Tennessee, with selection of a designer referred to the Subcommittee with authority to act.

Estimated Project Cost: \$9,880,000.00
SBC Project No. 166/011-04-2009

University of Memphis, Memphis, Tennessee

- 1) Approved a project and acknowledgment of the source of funding for **Administration Building IT Renovations** at the **University of Memphis** in Memphis, Tennessee, with selection of a designer referred to the Subcommittee with authority to act.

Estimated Project Cost: \$480,000.00
SBC Project No. 166/007-15-2009

Jackson State Community College, Jackson, Tennessee

- 1) Approved a project and acknowledgment of the source of funding for **Campus HVAC Repairs** at **Jackson State Community College** in Jackson, Tennessee, with selection of a designer referred to Subcommittee with authority to act.

Estimated Project Cost: **\$2,209,159.00**
SBC Project No. 166/019-02-2009

Pellissippi State Community College, Knoxville, Tennessee

- 1) Chancellor Manning presented a request for approval of a revision in revision in estimated project cost and funding from \$560,000.00 to \$ 960,000.00 (a \$400,000.00 increase) and acknowledgment of source of funding for **New Parking** at Pellissippi State Community College in Knoxville, Tennessee. Comptroller Wilson questioned the cost per space. Dick Tracy was recognized. He stated that the total number of spaces is 304, and that these additional funds are needed to pave the remaining 187 spaces. He said the original cost was high because the first phase included site preparation and other costs. After discussion, the request was approved as presented.

Revised Estimated Project Cost: **\$960,000.00**
SBC Project No. 166/032-01-2008

- 2) Approved a project and acknowledgment of the source of funding for **Goins Classroom Renovation** at Pellissippi State Community College in Knoxville, Tennessee, with selection of a designer referred to the Subcommittee with authority to act.

Estimated Project Cost: **\$350,000.00**
SBC Project No. 166/032-03-2009

Southwest Tennessee Community College, Memphis, Tennessee

- 1) Approved a request for a revision in estimated project cost and funding from \$21,700,000.00 to \$21,170,625.63 (a \$529,374.37 decrease) and acknowledgment of source of funding for **New Macon Cove Academic Building** at Southwest Tennessee Community College in Memphis, Tennessee.

Revised Estimated Project Cost: **\$21,170,625.63**
SBC Project No. 166/033-04-2005

- 2) Chancellor Manning presented a request for approval to fully plan a project and proceed with Phase 1, Nursing, to include Commissioning, and acknowledgment of the source of funding for **Nursing and Biotechnology Facility** at Southwest Tennessee Community College in Memphis, with selection of a designer referred to the Subcommittee with authority to act. Comptroller Wilson asked if the gift funds were in hand. Chancellor Manning replied that they had \$4,211,000 in hand, but construction would not begin until all gift funds were in hand. The Commission approved the request as presented.

Estimated Project Cost: \$18,260,000.00
SBC Project No. 166/033-01-2009

- 3) Approved a project and acknowledgment of the source of funding for **Mechanical Systems Modernization** at Southwest Tennessee Community College in Memphis, with selection of a designer referred to the Subcommittee with authority to act.

Estimated Project Cost: \$820,000.00
SBC Project No. 166/033-02-2009

- 4) Approved a project and acknowledgment of the source of funding for **Several Buildings Roof Replacements** at Southwest Tennessee Community College in Memphis, with selection of a designer referred to the Subcommittee with authority to act.

Estimated Project Cost: \$1,400,000.00
SBC Project No. 166/033-03-2009

Walters State Community College, Morristown, Tennessee

- 1) Approved a project and acknowledgment of the source of funding for **Agribusiness Pavilion Sprinkler Renovation** at the Walters State Community College in Morristown, with selection of a designer referred to Subcommittee with authority to act.

Estimated Project Cost: \$107,000.00
SBC Project No. 166/023-01-2009

Tennessee Technology Center @ Livingston, Livingston, Tennessee

- 1) Approved a project and acknowledgment of the source of funding for **Fire Alarm and HVAC Systems Modernization** at the Tennessee Technology Center @ Livingston in Livingston, with selection of a designer referred to the Subcommittee with authority to act.

Estimated Project Cost: \$470,000.00
SBC Project No. 166/062-02-2009

Middle Tennessee State University, Murfreesboro, Tennessee

- 1) Approved the Early Design Phase of a project for **Dairy Farm Improvements** at Middle Tennessee State University in Murfreesboro, as presented by Lose & Associates, Inc.

\$4,375,000.00

Estimated Project Cost:
SBC Project No. 166/009-06-2006

Tennessee Technological University, Cookeville, Tennessee

- 1) Chancellor Manning presented a request for approval of the Early Design Phase for **Strength and Conditioning Center** at Tennessee Technological University in Cookeville, as presented by Upland Design Group, Inc. Treasurer Lillard questioned why a metal roof was not used and suggested they be sure to use a quality grade shingle. After discussion, the request was approved as presented.

\$2,000,000.00

Estimated Project Cost:
SBC Project No. 166/011-02-2009

Discussion of Bids

- 1) **Chattanooga State Community College, Chattanooga**
(Allied Health Facilities Improvements)
SBC Project No. 166/012-03-2005
Bid date: 12-09-2009
SBC Action: No action required

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DEPARTMENT OF FINANCE AND ADMINISTRATION

12:05 p.m.

CLOVER BOTTOM DEVELOPMENTAL CENTER, NASHVILLE, TENNESSEE

- 1) Approved a project and acknowledgment of the source of funding for **Essential Maintenance / Roof Repairs** at the Clover Bottom Developmental Center in Nashville, with selection of a designer referred to the Subcommittee with authority to act.

Estimated Project Cost: \$1,000,000.00
SBC Project No. 344/003-01-2009

PIEDMONT GAS BUILDING, NASHVILLE, TENNESSEE

- 1) Mr. Fitts presented a request for approval of a project and acknowledgement of the source of funding for **Interior Renovation** of the Piedmont Gas Building, Nashville, and selection of a designer to design and supervise the project. He stated that this project includes general renovation of interior office space at Piedmont Office Building to accommodate the Department of General Services as new tenants. He said the execution of this project is part of an overall plan to create available space in the Tennessee Tower, which will ultimately be used to house State Capitol personnel during renovation of the HVAC systems in the State Capitol during the year 2011. Speaker Williams asked if this cost includes furniture, and was told "no". The Commission approved the request with the selection of a designer referred to the Subcommittee with authority to act.

Estimated Project Cost: \$1,450,000.00
SBC Project No. 529/012-01-2009

SPECIAL ITEM

- 1) Mr. Fitts presented a request for approval to waive the bond requirement with regard to the State's grant agreement with the Industrial Development Board of Montgomery County for the **Hemlock Semiconductor** project relative to the subcontract agreement with TVA. He was asked if the Attorney General's Office had looked at it, and responded "yes". The Commission approved the request as presented by Mr. Fitts.

SBC Project No. 529/000-04-2009

STATEWIDE

- 1) Mr. Fitts presented a request for approval to extend the contract for Management Assistance not to exceed six months. He stated that the current contract expires January 31, 2010 and complications have arisen with the RFP that has been issued for a new contract for Management Assistance. He said, in order to continue with management assistance, a time extension is needed for the existing contract to provide this assistance on a continual basis. The Commission approved the request as presented.

SBC Project No. 529/000-09-2003

CORDELL HULL STATE OFFICE BUILDING, NASHVILLE, TENNESSEE

- 1) Approved a project and acknowledgment of the source of funding for **Emergency Waterproofing Repairs** at the Cordell Hull State Office Building, and approval to utilize the Direct Order Contract to execute the repairs and assist with project investigation, with selection of a designer referred to the Subcommittee with authority to act.

Estimated Project Cost: \$135,000.00
SBC Project No. 529/011-01-2009

SHELBY COUNTY FORENSIC CENTER, MEMPHIS, TENNESSEE

- 1) Mr. Fitts presented a request for approval of the Early Design Phase of a project for **Shelby County Forensic Center** at Memphis, as presented by TRO / Jung Brannen. Comptroller Wilson asked if the bonds for this project would be tax exempt. Janie Porter, Assistant Attorney General, responded that their office is looking at the contract along with Bond Council. Comptroller Wilson said that his concern was whether or not it was worth the \$200,000 potential additional annual cost on the bonds should it cause the bonds to be taxable. After discussion, the matter was referred to the Subcommittee, with authority to act.

Estimated Project Cost: \$13,000,000.00
SBC Project No. 400/000-01-2005

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STATE BUILDING COMMISSION

MINUTES OF MEETING OF STATE BUILDING COMMISSION

- 1) Approved the Minutes of the State Building Commission meeting held on November 12, 2009.

REPORT OF CHANGE ORDERS RESULTING IN CUMULATIVE CHANGE ORDER COSTS TO EXCEED 10% OF BASE CONTRACT AMOUNT

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|----|--|-------------------------------------|
| 1) | Ellington Agricultural Center
(Porter Lab HVAC Upgrade) | Approval to adjust the base. |
| | Change Order No. | 1 |
| | Change Order Amount: | \$48,292.35 |
| | Change Order Percent: | 13.58 |
| | Cumulative Percent | 13.58 |
| | SBC Project No. | 100/000-01-2007 |
| 2) | Cleveland State Community College
(Auditorium Building Renovations) | |
| | Change Order No. | 12 |
| | Change Order Amount: | \$5,200.98 |
| | Change Order Percent: | 0.44 |
| | Cumulative Percent | 12.99 |
| | SBC Project No. | 166/013-03-2006 |
| 3) | Tennessee Technology Center at Dickson
(Fire Alarm and Systems Update) | |
| | Change Order No. | 1 |
| | Change Order Amount: | \$23,403.23 |
| | Change Order Percent: | 19.7 |
| | Cumulative Percent | 19.7 |
| | SBC Project No. | 166/046-01-2008 |

DESIGNER SELECTION LIST

- 1) Approved a request to refer the designer selections to the Subcommittee, with authority to act.

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There being no further business, the meeting adjourned at 12:20 p.m.

Approved by: _____

M.D. Goetz, Jr., Commissioner
Department of Finance and Administration